

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CHASITY RODGERS,

Plaintiff,

v.

ST. LOUIS COMMUNITY COLLEGE,

DAVID COUGHRAN, AND

JOSEPH PUGAL,

Defendants.

Case No.

(Removed from the Circuit Court
of The City of St. Louis County,
Missouri, Case No. 2422-CC11697)

Jury Trial Demanded

NOTICE OF REMOVAL

Defendants St. Louis Community College, David Coughran, and Joseph Pugel (correct spelling) hereby remove the above-captioned action, Cause No. 2422-CC11697, currently pending in the Circuit Court of the City of St. Louis County, Missouri, 22nd Judicial Circuit, to the United States District Court for the Eastern District of Missouri. Removal is based on 28 U.S.C. §§ 1331, 1441, and 1446.

As grounds for removal, Defendants state the following:

1. On or about December 10, 2024, Chasity Rodgers (hereinafter “Plaintiff”) filed a Petition in the Circuit Court of the City of St. Louis County, Missouri. The state court action was assigned Cause No. 2422-CC11697 and styled Chasity Rodgers v. St. Louis Community College, et al. (See Exhibit A, State Court File).

2. Summonses were issued for service upon each of the three (3) named Defendants. There is no indication that any of the Defendants have been served the summons and Petition but counsel for Defendants accept and waive service on their behalf.

3. Given that Defendants have not been served to date but counsel has accepted service on their behalf as of the date of filing this Notice of Removal, this Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446.

4. Pursuant to Local Rule 2.03, a complete copy of the state court file and docket sheet is attached hereto as Exhibit A.

5. Count III of Plaintiff's Petition is brought under 42 U.S.C. § 12132, Title II of the Americans with Disabilities Act (ADA), for alleged discrimination in a place of public accommodation as a student at Defendant St. Louis Community College. (See Petition, pp. 11-13). Plaintiff alleges all Defendants are liable under Title II of the ADA. Id.

6. Accordingly, this matter, in its entirety, is properly removable because this Court has original jurisdiction over this matter pursuant to 28 U.S.C. §§ 1331 because the action includes claims arising under the Constitution, laws, or treaties of the United States (42 U.S.C. § 12132).

7. In addition, Plaintiff's Counts I and II, claims under Missouri law, are part of the same case and controversy such that this Court has supplemental jurisdiction under 28 U.S.C. § 1367.

8. This matter has been removed to the proper Court because this Court is part of the "district and division embracing the place where" this action was filed — the City of St. Louis County, Missouri. 28 U.S.C. § 1446(a).

9. The original Petition (less exhibits), attached hereto as Exhibit A, contains all information needed for this Court to determine that removal is proper.

10. The three (3) Defendants that bring this Notice of Removal are the entirety of the named Defendants in this cause of action and as such, all Defendants consent to such removal.

11. Accompanying and attached to this Notice of Removal is a Civil Cover Sheet for filing in this Court.

12. Also accompanying and attached to this Notice of Removal is an Original Filing Form.

13. Defendants have given written notice to Plaintiff of the filing of this Notice of Removal and will file a copy of this Notice of Removal with the Clerk of the Circuit Court of Marion County, State of Missouri, as required by 28 U.S.C. § 1446.

WHEREFORE, this action should proceed in the United States District Court for the Eastern District of Missouri, as an action properly removed thereto.

Respectfully submitted,

REICHARDT NOCE & YOUNG LLC

By: /s/ Kyle C. Westbrook
TIMOTHY J. REICHARDT #57684MO
tjr@rnylaw.com
KYLE C. WESTBROOK #66324MO
kcw@rnylaw.com
12444 Powerscourt Drive, Suite 160
St. Louis, MO 63131
314/789-1199
314/754-9795 – Facsimile
*Attorneys for Defendants St. Louis Community
College, David Coughran, and Joseph Pugel*

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of January, 2025, I electronically filed the foregoing via the Court's ECF electronic filing system, which sent notification of such filing to all counsel of record. I further certify that I signed, or caused my electronic signature to be placed upon, the original of the foregoing document. I also certify that I have electronically mailed a copy to counsel for Plaintiff.

/s/ Kyle C. Westbrook